

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

COMMONWEALTH ANNUITY AND LIFE
INSURANCE COMPANY,

No. 08-01739 CW

Plaintiff,

ORDER TO SHOW
CAUSE

v.

JOHN DALESSIO, et al.,

Defendants.

/

On September 26, 2008, this Court issued a Minute Order and Case Management Order in which the above-captioned case was referred to a Magistrate Judge for settlement conference. The case was assigned to Magistrate Judge James Larson to conduct the settlement conference. On December 17, 2008, a settlement conference was held before Judge Larson in which the Defendants failed to appear. Accordingly,

IT IS HEREBY ORDERED that Defendants shall show cause by declaration filed with the Court and served on opposing counsel on or before January 29, 2009, why default should not be entered for failure to comply with Court Orders; and

IT IS FURTHER ORDERED that the declaration above-mentioned shall set forth in factual summary the nature of the case, its

1 present status, the reasons why Defendants did not appear at the
2 settlement conference, and the expected future course of the case
3 if default is not entered.

4 Failure to comply with this order will be deemed a sufficient
5 ground for sanctions, including dismissal of this case.

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7 1/7/09

8 Dated _____

Claudia Wilken

9 CLAUDIA WILKEN
10 United States District Judge

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12 cc: JL

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

COMMONWEALTH ANNUITY AND LIFE
INSURANCE COMPANY et al.

Case Number: CV08-01739 CW

Plaintiff,

CERTIFICATE OF SERVICE

V.

DALESSIO et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 7, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Dalessio
Rita Dalessio
16 Via Las Encinas
Carmel Valley, CA 93924

Robert J. Taitz
Shane & Taitz
1000 Drakes Landing Road
Suite 200
Greenbrae, CA 94904-3027

Dated: January 7, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk